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August 6, 2018

The Honorable Judge Paul Haakenson  
Marin County Superior Court  
P.O. Box 4988  
San Rafael, CA 94913-4988

Ron Brown, Foreperson  
Marin County Grand Jury  
3501 Civic Center Drive, Room #275  
San Rafael, CA 94903

**SUBJECT: Response to Marin County Civil Grand Jury Report,  
“Yellow School Bus for Traffic Congestion Relief”**

Dear Judge Haakenson and Mr. Brown:

On August 6, 2016, the Marin County Transit District (Marin Transit) Board of Directors authorized the Board President to respond to the Marin County Civil Grand Jury Report, “Yellow School Bus for Traffic Congestion Relief.” Attached is Marin Transit’s response.

Please contact Marin Transit’s General Manager Nancy Whelan at [nwhelan@marintransit.org](mailto:nwhelan@marintransit.org) or 415-226-0864 if you have any questions about this response.

Sincerely,

Stephanie Moulton-Peters  
President

Attachment

## MARIN TRANSIT RESPONSE TO GRAND JURY REPORT FINDINGS AND RECOMMENDATIONS

REPORT TITLE: **Yellow School Bus for Traffic Congestion Relief**

REPORT DATE: **June 1, 2018**

RESPONSE BY: **Marin County Transit District (Marin Transit)**

### GRAND JURY FINDINGS

F1. Traffic congestion is consistently cited as the number one problem in the County and school-related traffic is a significant contributor.

F2. School buses have been shown to reduce traffic congestion.

F3. There are school districts with no bus service and others with varying levels of service. The lack of coordination results in inefficiencies.

F4. Current school bus funding includes bus pass sales and various municipality and county contributions. The municipal and county contributions are temporary and inconsistent.

F5. There is demand to establish and/or expand YSB programs in the County.

F6. Securing dedicated YSB bus parking and a maintenance facility is essential for expansion of a countywide YSB program.

F7. The YSB programs in Marin face many challenges, including dependable funding sources, bus drivers and coordinated school bell times.

F8. Marin Transit is the appropriate entity to efficiently manage a coordinated YSB program.

### Marin Transit Response to Findings

- We agree with Findings F1, F2, F4, F5, F6, F7
- We partially disagree with Findings F3 and F8

F3 Explanation: While we agree that there are school districts with no bus service and others with varying levels of service, the lack of coordination does not always result in inefficiencies. Some school districts may operate independently and very efficiently without coordination with other districts. Therefore, the finding should be that the lack of coordination may result in inefficiencies.

F8 Explanation: As we described in the “Coordinated Countywide Student Transportation Study,” Marin Transit is one potential entity to manage a coordinated yellow school bus program for the county. There are several models for governance and management of a coordinated program. Examples include a

multi-agency Joint Powers Authority (JPA) or a new division of Marin Transit. In fact, Marin County already has a JPA for coordinating special needs yellow school bus service that nearly all Districts participate in. Marin Transit currently serves as a manager of several yellow school bus programs in addition to supplemental transit service to high schools and will continue in that role in the near term. In the meantime, a countywide program may evolve into another governance and management structure. Therefore, we believe the finding should be that Marin Transit is an appropriate entity to efficiently manage a coordinated YSB program in the near term.

## **GRAND JURY RECOMMENDATIONS**

The Grand Jury requested that Marin County Transit District respond to the following recommendations.

R3. Marin Transit should produce and make public a list of possible sites for bus parking and maintenance and the barriers to purchasing and utilizing each site by October 2018.

R4. Marin Transit should facilitate negotiations for a financial arrangement across the full group of participants that would distribute any tax revenue lost by a municipality or the County for providing a parking or maintenance facility.

R6. Marin Transit should establish a new standing YSB committee that would provide guidance on YSB issues to include representatives from the County, Marin County Office of Education, and each school district and municipality in the urbanized areas of Marin. The initial meeting should be held by October of 2018.

R8. The YSB committee should work toward the establishment of a coordinated YSB for K-8 program for the urbanized areas of Marin with the goal of beginning the coordinated program by the 2019-2020 school year.

R9. Marin Transit should manage the development and operations of the coordinated YSB program beginning immediately, with the goal of initiating operations by the 2019-2020 school year.

## **Marin Transit Response to Recommendations**

### Overview

Marin Transit supports the overall direction of the Grand Jury's recommendations. Over the past four years, we have been implementing some of these recommendations in whole or in part starting with the "Coordinated Countywide School Transportation Study" completed in 2015. Based on this study and our experience providing supplemental transit service to schools and managing yellow bus programs, we believe there are two issues that must be resolved before a coordinated program can be successful. The first is securing reliable, ongoing expanded funding for operations and a funding source for capital purchases such as a parking and maintenance location and potentially for bus purchases. The second and related issue is securing a site for permanent or long-term parking with the potential to perform

some or all vehicle maintenance. These needs must be considered as a part of our responses to the specific recommendations below.

#### Responses to Individual Recommendations

*R3. The recommendation will not be implemented because it is not reasonable.*

Land available within the County for light industrial uses or other compatible land uses for parking and maintaining buses is very rare. Competition is intense for this type of property. Marin Transit has been seeking such a property for more than three years and has investigated the potential for such a use at more than 30 sites. We have maintained a confidential internal working document listing possible sites, their status, and the barriers to acquiring these sites. This is a living document that changes when new sites become available and others are no longer available. In making the list of potential sites public, we believe it will have the opposite effect to that intended by the Grand Jury. Making this list public will increase the competition for sites, raise the price for potential sites, diminish our ability to negotiate with property owners, and cause other unintended consequences. We plan to continue seeking sites working directly with affected stakeholders, especially the local jurisdictions where potential sites are located, and making the public aware of our needs. We have identified potential sites using this approach.

*R4. The recommendation will not be implemented because it is not reasonable.*

Marin Transit does not control or influence property tax or other local taxes that may be available to local jurisdictions. Financial arrangements to address lost tax revenues between and among local jurisdictions due to property purchase and ownership is best achieved by direct interactions between the parties on a case-by-case basis. Marin Transit will participate in the discussions if requested by local jurisdictions.

*R6. The recommendation requires further analysis.*

As a part of the “Coordinated Countywide School Transportation Study,” Marin Transit has convened (or attempted to convene) representatives from the County, Marin County Office of Education, and each school district and municipality in the urbanized areas of Marin. Letters were sent to each City Manager and each school district Superintendent inviting them to participate in the study. In May 2016, the Marin Transit Board of Directors established an Ad Hoc Committee on School Transportation comprised of three Board members. The Ad Hoc Committee on School Transportation has met ten times, and interested representatives from the County, cities, and school districts have attended these meetings. Additionally, Marin Transit staff have convened smaller groups with similar interests or groups sharing similar geography and student populations. These groups have met as needed or as requested over the course of the past two years to discuss school transportation issues.

The Ad Hoc Committee has considered convening an expanded group of school transportation stakeholders. They determined that a larger stakeholder group should be convened when an expanded

reliable ongoing funding source for yellow school bus operations is identified. If the countywide half cent transportation sales tax is renewed in November 2018, a small increase in school transportation funding will be available. The Ad Hoc Committee will consider establishing a larger advisory group at that time.

It would be a challenge to manage a permanent committee comprised of 25 public entities that meets regularly. Before the committee is convened, further analysis should be conducted of the purpose and need for the committee, staffing and other resource requirements, and who they will advise. Marin Transit will consider this recommendation prior to December 1, 2018, after completing this analysis.

*R8. The recommendation has not yet been implemented. It will be implemented in the future if reliable, ongoing funding for a coordinated yellow bus program is secured.*

Based on completion of the analysis described in the response to R6 above, a committee may help further develop a coordinated yellow school bus program, assist in identifying ongoing expanded operating funds, and help secure a parking and maintenance facility for buses. The program can be implemented once the funding plan is in place. Given that an expanded reliable ongoing source of funds has not been identified, it is unlikely that a fully coordinated program will be in place by 2019-2020.

*R9. The recommendation has not yet been implemented. It will be implemented in the future if reliable, ongoing funding for a coordinated yellow bus program is secured and if school districts choose to participate in the program.*

For the past three years, Marin Transit has managed three of the five yellow bus programs in the urbanized areas of Marin County. Marin Transit coordinates with all public schools on the youth pass program and works closely with schools served by supplemental transit routes. Additionally, Marin Transit actively participates in Safe Routes to Schools coordination meetings. While this is not a fully centralized program (with two school districts managing their own yellow bus services), it is coordinated and achieves many of the objectives outlined in the Grand Jury Report. Marin Transit cannot compel school districts to participate in a coordinated yellow bus program. Districts that want to participate have done so voluntarily thus far.

Marin Transit has identified funding needs and existing funding sources for yellow school bus programs. Marin Transit uses some of its local Measure A transportation sales tax funding to support yellow bus programs. Given the interest in how existing sources of funds are allocated and the need for additional funding, Marin Transit plans to further coordinate funding for the 2019-2020 school year. This structure is the best option until expanded ongoing funding and a permanent bus parking and maintenance facility are secured.

As soon as a stable funding source is secured, Marin Transit will further consider governance and management options for a coordinated countywide program, re-evaluate the existing program, and update plans for expansion of the program. A fully coordinated program as envisioned by the Grand Jury Report is unlikely to occur by 2019-2020 as there is no significant expanded ongoing source of operating funds available.

